

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
NO. 3:04-CV-00099-FDW-CH

IN RE SPX CORP. SECURITIES
LITIGATION

ORDER

This Document Relates to:
ALL ACTIONS

WHEREAS on March 5, 2009, this Court entered an Order [Doc. No. 75] directing that, “in the event that there are any uncashed, unclaimed or undeliverable mail and/or checks to eligible recipients for a period of ninety (90) days after distribution, and after subsequent effort by the Claims Administrator to locate said recipients being unsuccessful, then any uncashed, unclaimed or undeliverable funds may be distributed to eligible members of the Class proportionately if the amount of said unclaimed funds are *substantial*; and if the amount of said unclaimed funds are *insubstantial*, then Lead Plaintiff’s counsel is to notify the Court so that the Court may designate an appropriate a [sic] tax-exempt charitable institution under Section 501(c)(3) of the Internal Revenue Code to receive said funds.” *Id.* para. 5 (italics added).

WHEREAS, according to Plaintiff’s Lead counsel, Samuel P. Sporn, Esq., there remains “insubstantial” funds of \$7,657.36 [hereinafter “funds”], after meeting all other requirements of the Order of March 5, 2009 [Doc. No. 75].

WHEREAS, the Board of Judges of the Western District of North Carolina in a regularly scheduled session of the Board of Judges voted and approved the designation and donation of the funds to:¹

Legal Services of Southern Piedmont, Inc.
1431 Elizabeth Avenue
Charlotte, North Carolina 28204
704-376-1600
Point of Contact: Kenneth Schorr, Executive Director

Said organization is a North Carolina not-for-profit corporation and is approved by the Internal Revenue Service as a tax-exempt charitable institution under Section 501(c)(3) of the Internal Revenue Code.

NOW THEREFORE, Lead Counsel is ordered to forward the funds plus any interest, if any, to Legal Services of Southern Piedmont, Inc., and report back to the Court the final distribution of the funds.

Signed: March 14, 2014

A handwritten signature in black ink, appearing to read "Frank D. Whitney", is written over a horizontal line.

Frank D. Whitney
Chief United States District Judge



¹ Because the above-signed judicial officer is a Judicial Liaison to and Board Member of Legal Services of Southern Piedmont, Inc., the above-signed judicial officer disclosed to the other judicial officers his involvement in the organization and recused from the vote to designate the organization.